

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v John Dalmar Skinner**
Docket No. **267671**
L.C. No. **03-023747 FH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal filed on January 11, 2006, is DISMISSED for lack of jurisdiction because the application was not filed within 12 months of the October 28, 2004, judgment of sentence as required by MCR 7.205(F)(3), and neither exception found in MCR 7.205(F)(4) was satisfied. The first exception was not satisfied because the application was not filed within 21 days of the November 7, 2005, order. The second exception was not satisfied because the application was not filed within 42 days of the November 16, 2005, order appointing counsel, nor was it filed within 42 days of the March 29, 2005, filing of the transcripts. Even though apparently some type of notice was filed on November 30, 2005, the actual transcripts were filed on March 29, 2005, as demonstrated by the fact that this Court received copies of those transcripts on November 23, 2005, in docket number 266690. Docket number 266690 filed on November 23, 2005, does remain pending as it was filed within 21 days of the November 7, 2005, order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

January 24, 2006
Date

Sandra Schultz Mengel
Chief Clerk